

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ERNEST J. HOOPENGARNER,
Petitioner,

v.

**SUPERINTENDENT
FREDRICK FRANK, *et al.*,**
Respondents.

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CIVIL ACTION NO. 97-CV-6192

ORDER

AND NOW, this 24th day of February, 2020, in consideration of Petitioner Ernest J. Hoopengarner's Motion for Relief from Judgment Under Fed. R. Civ. P. 60(b) (ECF No. 50), it is **ORDERED** that:

1. The Motion is **DISMISSED** for lack of jurisdiction for the reasons set forth in the Court's Memorandum accompanying this Order.
2. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c).

BY THE COURT:

s/ J. Curtis Joyner

J. CURTIS JOYNER, J.